

Message Text

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ACTION SS-30

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FM AMEMBASSY OSLO

TO SECSTATE WASHDC 8731

INFO AMEMBASSY COPENHAGEN

AMEMBASSY HELSINKI

AMEMBASSY LONDON

AMEMBASSY MOSCOW

AMEMBASSY PARIS

AMEMBASSY REYKJAVIK

AMEMBASSY STOCKHOLM

USMISSION NATO

S E C R E T OSLO 4261

EXDIS

E.O. 11652: GDS

TAGS: AGS PFOR NO UR SV

SUBJECT: POSSIBLE US STEPS TO STRENGTHEN NORWEGIAN SOVEREIGNTY
IN THE SVALBARD/BARENTS SEA AREAS

REF: STATE 197924 STATE 192477

1. EMBASSY APPRECIATES RECEIVING DEPT'S 197924 AND 192477 OUT-
LINING RESULTS OF INTERAGENCY EXAMINATION SVALBARD ISSUES AND
SETTING FORTH THE US POSITION AND INSTRUCTIONS FOR
SUBMISSION TO FOREIGN MINISTER. I PLAN TO MEET WITH FONMIN
IN ABOUT 10 DAYS WHEN HE RETURNS FROM UNGA AND WILL OUTLINE OUR
VIEWS THEN. IF POSSIBLE I WOULD LIKE TO SUBMIT THE U.S. NOTE
RESERVING CONTINENTAL SHELF RIGHTS THEN.

2. REGARDING POINT A, PARA 6 OF DEPT'S 19724 I PLAN TO
INFORM FONMIN ALSO THAT U.S. IS SATISFIED WITH METHOD
GON IS NOW USING TO SET OUT ITS ADMINSTRATIVE REGULATIONS
ON SVALBARD, AS I BELIEVE IT IMPORTANT TO REASSURE HIM WE
PREFER NORWAY TO CONTINUE TO EMPLOY ITS ADMINISTRATIVE METHODS

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AND ASSERT ITS SOVEREIGNTY AND TO SEEK TO SOUND OUT OTHERS

ONLY WHEN GON BELIEVES IT IS ABSOLUTELY NECESSARY.

3. BECAUSE UPCOMING CONTINENTAL SHELF NEGOTIATIONS WITH USSR COULD AFFECT SVALBARD SHELF ISSUE, WE SHOULD SUBMIT NOTE SOON TO GIVE GON NEGOTIATORS TIME TO CONSIDER EFFECT OUR DECISION. IT IS EVIDENT, HOWEVER, THAT GON WILL NOT BE HAPPY NOR IN ALL LIKELIHOOD SURPRISED WITH OUR ANSWER. CONSEQUENTLY, I BELIEVE THE NOTE SHOULD CONTAIN SOME BALANCING BENEFITS FOR THEM. I SUGGEST IT POINT OUT THAT WE SHARE GON INTEREST IN KEEPING SVALBARD FREE OF TENSION AND FULLY SUPPORT THE PROVISIONS WHICH GRANT NORWAY SOVEREIGNTY WITHIN THE TREATY AREA. ON THE SPECIFIC QUESTION THE GON HAS ASKED CONCERNING OUR VIEW OF THE POSSIBLE APPLICATION OF THE TREATY TO THE SVALBARD CONTINENTAL SHELF, THE APPROPRIATE LANGUAGE RESERVING OUR RIGHTS SHOULD BE GIVEN.

THIS LANGUAGE SHOULD SPEAK TO TWO QUESTIONS: (A) OUR VIEW THAT SVALBARD DOES HAVE A LEGAL CONTINENTAL SHELF AND (B) THAT WE RESERVE OUR RIGHTS UNDER THE TREATY ON THAT SHELF.

4. I THINK THE NOTE SHOULD POINT OUT ADDITIONALLY, THAT WHILE WE DO RESERVE OUR OPINION, WE WISH TO ASSURE THE GON (AS THEY LOOK TOWARD THEIR UPCOMING CONTINENTAL SHELF NEGOTIATIONS) THAT WE HAVE NO INTENTION OF OPENLY CHALLENGING THEIR INTERPRETATION OF THE TREATY AS IT APPLIES TO THE CONTINENTAL SHELF. I WOULD LIKE TO TEL THE NORWEGIANS ORALLY THAT WE DO NOT PLAN AT THIS TIME TO INFORM THE USSR OF OUR RESERVATION, EVEN THOUGH OUR RESERVATION MIGHT APPLY TO ANY SVALBARD SHELF AREA ACQUIRED BY THE USSR AS A RESULT OF THE DELINEATION OF THE NORWEGIAN-SOVIET CONTINENTAL SHELF BOUNDARY. WE WOULD IN ANY CASE ADVISE THE NORWEGIANS BEFOREHAND IF IT BECAME NECESSARY ULTIMATELY TO INFORM THE SOVIETS.

5. WE HAVE SEVERAL COMMENTS ON AND ADDITIONS TO THE INTER-AGENCY ASSESSMENT OF THE SVALBARD SITUATION CONTAINED DEPARTMENT'S 197924 WHICH WE BELIEVE ARE IMPORTANT TO OUR LONG TERM CONSIDERATION OF THE MATTER BU DO NOT AFFECT THE NOTE OR ANY DISCUSSION WITH THE FONMIN. THESE WILL BE SUBMITTED SOON BY SEPTTEL.

BYRNE

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